

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 3/4/2020

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EMMA OCASIO, et al.,

Plaintiffs,

-v-

1555 GRAND CONCOURSE LLC, LIDIA
MANAGEMENT CORP.

Defendants.
-----X

18-cv-10159 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

On January 31, 2019, Plaintiff submitted a letter motion seeking to compel Defendants to respond to certain Plaintiff Interrogatories and Requests for Production both as they relate to Individual Plaintiffs and building-wide documents and communications. (Dkt. No. 65) Defendant responded by letter on February 14, 2020, opposing Plaintiff's letter motion and cross-moving to compel Plaintiffs to participate in Court-annexed alternative dispute resolution and to dismiss Plaintiff Suzanne Guthridge's claims pursuant to Fed. R. Civ. P. 25. (Dkt. No. 66) Plaintiff replied by letter on February 19, 2020. (Dkt. No. 67) Upon consideration of these letter motions, the Court ORDERS the following:

1. The motion to compel Court-annexed alternative dispute resolution is DENIED. The Court will not compel parties to participate in alternative dispute resolution against their wills.
2. The motion to dismiss the claims of Plaintiff Suzanne Guthridge is GRANTED pursuant to Fed. R. Civ. P. 25(a)(1). A suggestion of death was made as to Ms. Guthridge and no timely motion for substitution has been made.
3. ORDERED that Defendant shall complete production of responsive, non-privileged Plaintiff-specific emails and documents by April 4, 2020. No further extensions will be granted.
4. In response to Plaintiffs' Interrogatory 9 and Request for Production 19, ORDERED that Defendants produce any responsive documents related to complaints alleging disability discrimination by April 4, 2020. No further extensions will be granted.
5. With respect to the remainder of the request for building-wide discovery, Defendants express the concern that Plaintiffs will use the requested discovery to make unwelcome

approaches and contacts with building residents who are not parties to this lawsuit. The Court invites briefing on the question whether the Court (1) should order the production of the requested information with the proper names of the residents replaced by initials or (2) has the authority to condition an order compelling discovery on Plaintiffs' agreement not to use that discovery to contact building residents (or may otherwise condition permission to obtain the discovery on limits on how it may be used) and whether in this case it should exercise such authority and how. Each party may submit a 3-page letter limited to these questions by filing it on ECF by Friday, March 6, 2020, at 5:00 p.m.

SO ORDERED.

Dated: March 4, 2020
New York, New York

A handwritten signature in black ink, appearing to read 'L. Liman', is written over a horizontal line.

LEWIS J. LIMAN
United States District Judge